IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No. 6729 of 2008
Decided on : 08-12-2008

Ajit Singh ....Petitioner

VERSUS

Gram Panchayat, Gilwali

....Respondent

CORAM:- HON'BLE MR. JUSTICE MAHESH GROVER

Present:- Mr. Veneet Sharma, Advocate for the petitioner.

MAHESH GROVER, J

The prayer of the petitioner while invoking the power of the Court under Order 39 Rule 1 and 2 has been declined.

The land belongs to the Gram Panchayat. The petitioner has not been able to show as to in what capacity he is continuing with the possession of the property as prior to this, the proceedings initiated under Section 11 of the Punjab Village Common Lands Act by the petitioner were dismissed and the order was affirmed upto High Court.

In this view of the matter, when the petitioner is apparently in unauthorised possession of the property which belongs to the Gram Panchayat, the equitable jurisdiction of the Court cannot be exercised in his favour.

Dismissed.

December 8 , 2008 **(Mahesh Grover)**
rekha **Judge**